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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,480	08/26/2003	Hideaki Sato	2003_1210A	2321

  

513 7590 05/15/2007 WENDEROTH, LIND & PONACK, L.L.P. 2033 K STREET N. W. SUITE 800 WASHINGTON, DC 20006-1021		EXAMINER NGUYEN, QUANG N
ART UNIT 2141	PAPER NUMBER	
MAIL DATE 05/15/2007	DELIVERY MODE PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/647,480

Applicant(s)

SATO ET AL.

Examiner

Quang N. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 8/26/07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 7-9 is/are rejected.
- 7) ☐ Claim(s) 4-6 and 10-12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 8/26/07 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

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***Detailed Action***

1. This Office Action is responsive to the Application SN 10/647,480 filed on 08/26/2003. Claims 1-12 are presented for examination.

***Claim Objections***

2. Claim 1 is objected to because of the following informalities:

On line 3 of claim 1: "the computer" is suggested to be "the first computer" to avoid lacking of antecedent basis in the claim.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3 and 7-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamagishi (US 2003/0025796 A1).

5. As to claim 1, **Yamagishi** teaches a printing system comprising:

a first computer (*electronic camera 100 and/or client computer 500 as illustrated in Fig. 1*) for preparing printing information (*image data*);

a gateway server connected to the computer (*image gateway 400 connected to electronic camera 100 and/or client computer 500 as illustrated in Fig. 1*);

the first computer and the gateway server being provided to a printed matter preparer (**Yamagishi, Fig. 1 and paragraphs [0031-0032]**); and

a printing apparatus having an allocated IP address, which is provided to a printed matter customer (*the print services 800/810 as illustrated in Fig. 1*),

the gateway server of the printed matter preparer being connected to the printing apparatus of the printed matter customer via an internet (*the image gateway 400 connected to the print services 800/810 via the Internet 600 as illustrated in Fig. 1*),

wherein, when the first computer of the printed matter preparer designates the IP address allocated to the printing apparatus of the printed matter customer and issues a command for outputting the printing information (*the electronic camera 100 transmits image sensing data and designation information which designates a print service which should print the image sensing data*) (**Yamagishi, Abstract**), the gateway server, in place of the first computer, issues a command for outputting the printing information via the internet to the printing apparatus of the printed matter customer, which has the allocated IP address (*the image gateway 400 transmits the received image sensing data and a printing instruction for the image sensing data to the print service designated by the received designation information*) (**Yamagishi, Abstract**).

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6. As to claim 2, printing system of claim 2 contains similar limitations as those recited in printing system of claim 1 (*wherein the client computer 500 and the image gateway 400 are connected via the Internet 600*); therefore, it is rejected under the same rationale.

7. As to claim 3, printing system of claim 3 contains similar limitations as those recited in printing system of claim 1 (*wherein the communication device 300 is implemented as the second computer to perform an operation of transmitting/receiving image sensing data and commands from the electronic camera 100 to the image gateway 400*) (**Yamagishi, Fig. 16; paragraphs [0231] and [0237]**); therefore, it is rejected under the same rationale.

8. Claims 7-9 are corresponding method claims of printing system claims 1-3; therefore, they are rejected under the same rationale.

***Allowable Subject Matter***

9. Claims 4-6 and 10-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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10. A shortened statutory period for reply to this action is set to expire THREE (3) months from the mailing date of this communication. See 37 CFR 1.134.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (571) 272-3886.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (571) 272-3880. The fax phone number for the organization is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Quang N. Nguyen  
Patent Examiner  
AU – 2141